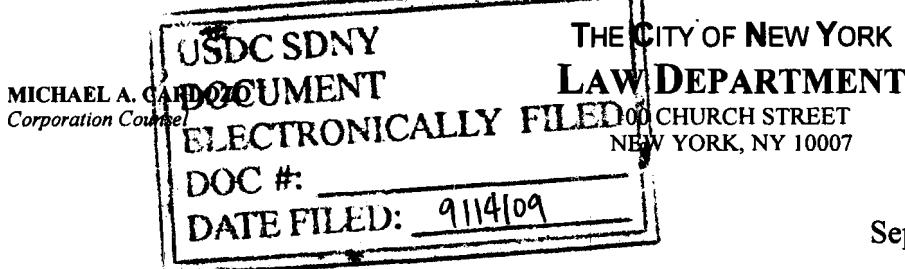


MEMO ENDORSED
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D. ALAN ROSINUS
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September 11, 2009

BY HAND

Hon. Richard M. Berman
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: B.W. o/b/o K.S., a minor, et al. v. New York City Dep't of Educ.,
09 Civ. 6686 (RMB)

Dear Judge Berman:

I am the Assistant Corporation Counsel assigned to represent Defendant New York City Department of Education ("Defendant" or "the DOE") in the above referenced matter.

I write to respectfully request a 3 week extension of time for Defendant to respond to the Complaint in this matter, from September 16, 2009 until October 7, 2009. This is Defendant's second request for an extension of time to respond to this Complaint. Defendant's first request, for a thirty day extension of time, was granted. Plaintiffs consent to this request.

I also write to respectfully request an adjournment of the pretrial conference in this matter currently scheduled for September 17th at 9 AM until such date as the Court sees fit.

The extension and the adjournment are necessary for two reasons. First, I have been out of the office on jury duty at New York State Supreme Court for most of this week, and I have been assigned to be a juror on a trial that begins on Monday, September 14th and that is expected to last three to four days. Second, because this case concerns a claim for attorneys' fees arising out of administrative proceedings in which Plaintiffs claim to have substantially prevailed, I have asked Plaintiffs to forward me billing records and other relevant documentation so that the DOE may investigate Plaintiffs' claims. After the DOE has reviewed said claims, it may be possible to resolve this matter without further litigation.

Thank you for your consideration of this request.

Respectfully,



David A. Rosinus, Jr. (DR 6431)
Assistant Corporation Counsel

cc: Michael D. Hampden, Esq. (by hand)
Partnership for Children's Rights
Attorney for Plaintiffs

Def's request for an extension
of time to answer is
granted. See Court's rules
regarding filing of motions.
Conference on 9/17 is
adjourned to 9/21 at 9am

SO ORDERED:

Date: 9/14/09 Richard M. Berman
Richard M. Berman, U.S.D.J.